

11-CV-02119-SUP

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEFFREY CHEN,

Plaintiff,

v.

CITY OF MEDINA and DONNA
HANSON,

Defendants.

C11-2119 TSZ

VERDICT

We, the jury, answer the questions submitted by the Court as follows:

Question No. 1

With regard to plaintiff's first (WLAD) claim, do you find that defendants engaged in an adverse employment action and that plaintiff's race and/or national origin was a substantial factor in such adverse employment action?

Answer: Yes ☒ No ☐

VERDICT - 1

1 Question No. 2

2 With regard to plaintiff's second (§ 1981) claim, do you find that Donna Hanson
3 engaged in an adverse employment action and that plaintiff's race was a substantial factor
4 in such adverse employment action?

5 Answer: Yes ✓ No

6
7 Question No. 3

8 With regard to plaintiff's third (§ 1983) claim, do you find that Donna Hanson
9 engaged in an adverse employment action and that plaintiff's race and/or national origin
10 was a substantial factor in such adverse employment action?

11 Answer: Yes ✓ No

12
13 **If your answer to Question No. 1, Question No. 2, or Question No. 3 is "Yes,"**
14 **then proceed to Question No. 4. If your answer to Question No. 1, Question No. 2,**
15 **and Question No. 3 is "No," then proceed to Question No. 8.**

16
17 Question No. 4

18 On which adverse employment action or actions do you find for plaintiff?

19 Answer:

20 Forcing a Resignation or Placing
21 on Paid Administrative Leave Yes ✓ No

22 Discharging Plaintiff Yes ✓ No

Question No. 5

Do you find that defendants have proven by clear and convincing evidence that they would have engaged in the same adverse employment action even if plaintiff's race and/or national origin had played no role in the decision? If you did not find for plaintiff as to a particular adverse employment action, then check "N/A" as to that action.

Answer:

Forcing a Resignation or Placing
on Paid Administrative Leave

Yes _____ No ☒ N/A _____

Discharging Plaintiff

Yes _____ No ☒ N/A _____

If your answer to Question No. 5 is "No" as to one or more adverse employment actions, then proceed to Question No. 6. If your answer to Question No. 5 is "Yes" or "N/A" as to all adverse employment actions, then proceed to Question No. 8.

Question No. 6

Do you find that defendants have proven by a preponderance of the evidence that Donna Hanson would have engaged in the same adverse employment action even if plaintiff's race and/or national origin had played no role in the decision? If you did not find for plaintiff as to a particular adverse employment action, then check "N/A" as to that action.

Answer:

Forcing a Resignation or Placing
on Paid Administrative Leave

Yes _____ No ☒ N/A _____

Discharging Plaintiff

Yes _____ No ☒ N/A _____

Question No. 7

What amount of damages, if any, do you award to plaintiff on his first (WLAD),
second (§ 1981), and/or third (§ 1983) claims?

Answer:

	WLAD	§ 1981	§ 1983
Back Pay (Lost Wages)	\$ <u>237,900</u>	\$ <u>237,900</u>	\$ <u>237,900</u>
Back Pay (Lost Benefits)	\$ <u>47,580</u>	\$ <u>47,580</u>	\$ <u>47,580</u>
Front Pay	\$ <u>1,650,000</u>	\$ <u>1,650,000</u>	\$ <u>1,650,000</u>
Emotional Harm	\$ <u>100,000</u>	\$ <u>100,000</u>	\$ <u>100,000</u>

Question No. 8

With regard to plaintiff's fourth (substantive due process) claim, do you find in
favor of plaintiff?

Answer: Yes ☒ No _____

1 If your answer to Question No. 8 is "Yes," then proceed to Question No. 9. If
 2 your answer to Question No. 8 is "No," then skip Question No. 9, and proceed to the
 3 instructions immediately after Question No. 9.

4
 5 Question No. 9

6 What amount of damages, if any, do you award to plaintiff on his fourth
 7 (substantive due process) claim?

8 <u>Answer:</u>	Back Pay	\$ <u>285,480</u>
9	Front Pay	\$ <u>1,650,000</u>
10	Emotional Harm	\$ <u>100,000</u>

11
 12 If you answered "Yes" to Question No. 2, Question No. 3, or Question No. 8,
 13 then proceed to Question No. 10. If you answered "No" to Question No. 2, Question
 14 No. 3, and Question No. 8, then sign and date the Verdict form.

15
 16 Question No. 10

17 Do you find that Donna Hanson's conduct was malicious, oppressive, or in
 18 reckless disregard of plaintiff's rights?

19 Answer: Yes ✓ No

20
 21 If your answer to Question No. 10 is "Yes," then proceed to Question No. 11.
 22 If your answer to Question No. 10 is "No," then sign and date the Verdict form.

